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Arizona Corporation Commission

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IN THE MATTER OF THE
INVESTIGATION INTO QWEST'S
CABLE WIRE AND SERVICE
TERMINATION POLICIES AND
TARIFFS OF OTHER
TELECOMMUNICATIONS
CARRIERS WITH RESPECT TO
ACCESS TO MTE/MDU TENANTS

DOCKET NO. T-00000A-02-0280

**QWEST CORPORATION'S
RESPONSIVE COMMENTS TO COX
ARIZONA TELCOM**

Pursuant to the October 10, 2003 Procedural Order in this docket, Qwest Corporation ("Qwest" or "Company") hereby files these responsive comments to Cox Arizona Telcom, LLC's ("Cox") comments, submitted on November 12, 2003.

ISSUE NO. 1

In Qwest's Response to Staff's Information Request, dated August 30, 2003, the Company agreed to modify its existing Cable, Wire, and Service Temination Policy ("CWSTP") tariff to eliminate Options¹ No. 2 and No. 3, subject to the following

¹ **Option 2:** Option 2 sets the demarcation point at the floor level in a multi-story building. Qwest owns and maintains riser cable from the floor level back to the central office. The same architecture could apply at trailer parks or marinas, etc. Option 2 typically provides a readily accessible cross connect field for direct MTE terminal access at the MPOE. Qwest, in most cases, has inventories of the Qwest-owned inside wire extending beyond the MTE terminal to the network demarcation point NID. Option 2 MTE terminal access may be obtained at the MPOE protector field or at the floor level NID.

Option 3: In option 3, the demarcation point is located either in a suite or an apartment unit. Qwest owns and maintains all wire and equipment from the suite or unit back to the central office. Option 3 MTE terminals typically consist of terminals at the MPOE that are hard-wired and contain no readily accessible cross-connect field. The exception would be large buildings and high rise buildings. Prior to the development of direct CLEC access, Qwest-owned and controlled inside wire for Option 3 MTE terminals was not always inventoried in provisioning and maintenance databases. Option 3 MTE terminal access may be obtained at the MPOE protector field as well as at the customer cross-connect of Qwest's owned and controlled inside wire.

1 conditions: (1) that carriers retain the ability to offer Additional Points of Presence
2 ("APOP") provisioned at the request and expense of the customer, and (2) that rules
3 proposed will apply to all carriers and competitors doing business in Arizona to ensure
4 competitive neutrality, as well as to avoid unfairly disadvantaging any category of
5 telecommunication carrier. Qwest's position regarding access to multi-unit premises
6 wiring – adopted by Cox in its November 12, 2003 comments – has not changed.

7 **ISSUE NO. 2**

8 Qwest agrees that if the Arizona Corporation Commission opens a rulemaking
9 docket with proposed rules that apply to all carriers and competitors in competitively
10 neutral manner, this docket can be closed.

11 **ISSUE NO. 3**

12 Based on Qwest's proposal to eliminate Options No. 2 and No. 3 of its CWSTP
13 tariff subject to two conditions, and Cox's subsequent adoption thereof, the Company
14 does not agree that any future rulemaking docket should address these options "and any
15 other appropriate wire termination rules" as recommended by Cox. Rather, the
16 rulemaking docket should focus on all telecommunication carriers on an industry-wide
17 basis, and ensure that access to facilities at MTEs and campus properties (MDUs) is
18 available in a fair, equitable and non-discriminatory manner. This process will allow all
19 parties to file testimony, and for the Commission to hold an evidentiary hearing so that all
20 positions can be thoroughly examined.

21 RESPECTFULLY SUBMITTED this 11th day of December, 2003.

22 FENNEMORE CRAIG, P.C.

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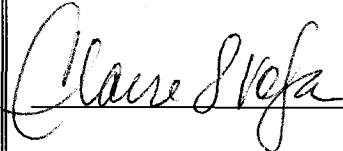
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